

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SOLAS OLED LTD.

Plaintiff,

v.

SAMSUNG DISPLAY CO., LTD., SAMSUNG
ELECTRONICS CO., LTD., AND SAMSUNG
ELECTRONICS AMERICA, INC.,

Defendants.

Civil Action No. 2:21-cv-00104-JRG

**DEFENDANTS' NOTICE OF STATUS OF
EX PARTE REEXAMINATION PROCEEDINGS**

Defendants Samsung Display Co., Ltd. ("SDC"), Samsung Electronics Co., Ltd. ("SEC") and Samsung Electronics America, Inc. ("SEA") hereby notify the Court that on February 17, 2022, the United States Patent and Trademark Office ("USPTO") issued an Office Action ("the Office Action") rejecting claims 11–13 of U.S. Patent No. 7,663,615 ("the '615 patent"). A copy of the Office Action is attached as Exhibit A.

In the Office Action, the Examiner found that:

1. "Claims 11-13 are rejected under pre-AIA 35 U.S.C. § 102(b) as anticipated by, or in the alternative, under pre-AIA 35 U.S.C. § 103(a) as obvious over Kimura" (Ex. A at 6); and
2. "Claims 11 and 13 are rejected under pre-AIA 35 U.S.C. § 102(b) as anticipated by, or in the alternative, under pre-AIA 35 U.S.C. § 103(a) as obvious over Kimura II" (Ex. A at 42); and
3. "Claims 11 and 13 are rejected under pre-AIA 35 U.S.C. § 102(b) as anticipated by, or in the alternative, under pre-AIA 35 U.S.C. § 103(a) as obvious over Dawson" (Ex. A at 84).

Accordingly, all claims of the '615 patent at issue in this litigation (*i.e.*, claims 11 and 13)

now stand rejected in the reexamination based on multiple independent grounds.

As Defendants previously notified the Court, the other patent at issue in this matter, U.S. Patent No. 7,499,042 (“the ’042 patent”), is also undergoing *ex parte* reexamination, and on February 2, 2022 the USPTO issued an office action rejecting claims 1-6 and 10-11 of the ’042 patent. (Dkt. 66). All claims of the ’042 patent at issue in this litigation (*i.e.*, claims 1, 3, and 4) stand rejected in the reexamination based on multiple independent grounds.

Therefore, as a result of the Office Action, all of the claims asserted against Defendants in this matter (*i.e.*, claims 11 and 13 of the ’615 patent, and claims 1, 3, and 4 of the ’042 patent) now stand rejected, each on multiple grounds, in pending *ex parte* reexamination proceedings.

Dated: February 17, 2022

Respectfully submitted,

/s/ Melissa R. Smith

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic services are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 17th day of February, 2022.

/s/ Melissa R. Smith
Melissa R. Smith